



Arb. Appln. No.604 of 2025

THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.07.2025

CORAM:

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

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Kotak Mahindra Bank Ltd.,
Rep. by its Authorised Signatory
Registered Office at Mumbai
Branch Office at
TVH Agnitto Park, 8th Floor, Zone-2
141, Old Mahabalipuram Road
Kandanchavadi, Chennai-600096

...Applicant

vs.

1. H. Chinnakkannan
2. Rajamani Chinnakkannan
3. Chinnakkannan Harikrishnan
4. Ariraman Panderi

...Respondents

Prayer: This application has been filed under Order XIV Rule 8 of Original Side Rules read with Section 9(1)(2)(ii)(a)(b)(d) & (e) of the Arbitration and Conciliation Act, 1996, to pass an order of appointment of an Advocate Commissioner to seize and deliver Machine Serial No.VCEC210DE00253198, Engine No. 12787358 to the custody of the applicant, available at the respondents premises or wherever found and with whomsoever it is found and permit the Advocate Commissioner to obtain police aid and to break open the premises.



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For Applicant : Mr. RA. Gopinath

ORDER

Till date the Advocate Commissioner has not repossessed the vehicle /equipment. No useful purpose would be served, if this application is allowed to be kept pending.

2. Therefore, the learned counsel for the applicant seeks liberty for the applicant to file a fresh application seeking for the very same relief whenever the vehicle /equipment is located.

3. Accordingly, this application is closed. However, liberty is granted to the applicant to file a fresh application seeking for appointment of an Advocate Commissioner once the vehicle /equipment is located. While considering such a fresh application, this Court shall consider retaining the very same Advocate Commissioner, who was appointed in this application, since the applicant has already paid the initial remuneration to the Advocate Commissioner in this application.

10.07.2025

Maya



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ABDUL QUDDHOSE, J.

Maya

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